

Remarks/Arguments:

A. Status of Claims and Amendment

Claims 1-20 are pending in the application. Claims 10-20 are withdrawn herein, as being directed to non-elected inventions.

B. Restriction Requirement as to Invention

Restriction to one of the following inventions has been required under 35 USC 121:

- I. Claims 1-9 and 20 drawn to a delivery system;
- II. Claims 10-18 drawn to a method for controllably releasing active agents to a delivery site; and
- III. Claim 19 drawn to an applicator.

Applicants elect the invention of group I., Claims 1-9, which read on the elected invention.

Claims 10-18 and 19, directed to the non-elected inventions, are withdrawn herein, with the right of rejoinder upon allowance of claims to the presently elected invention.

Claim 20 is withdrawn, with the right of rejoinder upon allowance of claims to the presently elected invention, as being more properly dependent on withdrawn Claim 19.

C. Election Requirement as to Species

Restriction to a species has been required under 35 USC 121:

Applicants elect the species of Claim 4, namely fertilizers, to be examined along with Claims 1 and 5-9.

Conclusion

In view of the foregoing, entry of this amendment and early allowance of the elected claims are respectfully requested. Should any matters remain which can be resolved by a telephone conference, the Examiner is encouraged to telephone the undersigned at 970-256-7720.

Date: November 13, 2008

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Edwin L. Hartz", with a long horizontal flourish extending to the right.

Edwin L. Hartz

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